

IJLR: International Journal of Law Reconstruction  
Volume 5, Number 1, April 2021  
DOI : <http://dx.doi.org/10.26532/ijlr.v5i1.15406>

## A LEGAL AWARENESS OF COPYRIGHT ON REGIONAL SONG CREATORS

Muchtar Anshary Hamid Labetubun  
Pattimura University  
[mahlabetubun@gmail.com](mailto:mahlabetubun@gmail.com)

### **Abstract**

*Copyright as an exclusive right for the creator or copyright holder to carry out the results of his ideas or ideas in the form of specific information or certain. Basically, copyright is the right to copy, adapt or produce a work, copyright is possible for the right holder to limit the copying or in any form without the illegitimate permission of a work, it can be realized by registration copyright, in its application, of course, there are obstacles that exist in the enforcement of copyright law itself. One example is the lack of awareness in registration copyright of songs by the creator. The research objective was to determine and analyze the legal awareness of regional pop songwriters to register their copyright. The research method uses normative research through a conceptual approach and a statue approach. The results show that the composers of regional pop songs know the importance of recording copyright because it is in accordance with the mandate of Act No. 28 of 2014 concerning Copyright and has also participated in the socialization carried out by the Ministry of Law and Human Rights, but songwriters do not record their work. Some songwriters consider that the registration is of no use because, from an economic standpoint, they cannot profit or lose personally, besides that their aspirations have not been fully channeled by the related institutions they shelter in this case the Collective Management Institute. Therefore to decide on the sale of the song's copyrighted work rather than registering it to the Ministry of Law and Human Rights in the Field of Intellectual Property.*

**Keywords:** Legal Awareness, Registration, Song Copyright.

### **A. INTRODUCTION**

The rapid development of information technology, especially computer programs and the internet, has had a huge influence on law, especially those related to industry and copyright<sup>1</sup>. Copyright is a private right, a civil right inherent in the creator. It is born to the creator's creation. Creations that emerge from "if the mind" and "if the heart."<sup>2</sup> In digital era, where everything can be accessed easily and quickly, making wild parties use this opportunity to take personal advantage by stealing or copying someone's copyrighted work. Therefore, there is a need for legal protection in the form of a Law on Intellectual Property to prevent these crimes and protect the works of art in Indonesia. Copyright is part of a set of rights called Intellectual Property whose arrangements are found in legal science

- 1 Muchtar Anshary Hamid Labetubun, *Aspek Hukum Hak Cipta Terhadap Buku Elektronik (E-Book) Sebagai Karya Kekayaan Intelektual*, *SASI*, Volume 24 Number 2, 2018, page.138–49
- 2 OK Saidin, *Aspek Hukum Hak Kekayaan Intelektual*, Rajagrafindo Persada, Jakarta, 2015

and are called Intellectual Property Law. Named Intellectual Property law includes a field of law that deals with the juridical rights of works or creations made by human thought if linked to economic and moral interests.<sup>3</sup>

Other than that, The Copyright Law provides protection for Author and Copyright Holder with exclusive rights to be exploited for social purposes<sup>4</sup>. The social function of copyright is created in order to create a balance of interests between the interests of the creator who creates a creation and the rights of the people who need the creation<sup>5</sup>.

Copyright is an integral part of Intellectual Property and is also a material right that can be deduced from the formulation of Article 1 paragraph 1 of the Copyright Act No. 28 of 2014 which states that: "Copyright is the exclusive right of the creator that arises automatically based on the declarative principle after work is realized in real form without reducing restrictions in accordance with statutory provisions."

The registration of copyright in the General Register of Copyright does not imply an endorsement of the content, meaning, the purpose of the form in which the copyright is registered. The function of copyright registration is to provide protection and legal certainty to the creator of the work he creates so that copyright registration can provide written evidence to the real creator to protect himself when there is a claiming problem for the creation he created.

The Copyright Act also confirms that protected works include works in the fields of science, art, and literature, where Article 40 paragraph 1 letter d with this states that "songs and music with or without text" also protected by this law.

Song and music are some of the works of art that developed in Indonesia and is often used by people to express feelings of sadness and happiness because it is necessary to have copyright protection for the song or music. Today the need for song or music is so complex, that song or music has undoubtedly become an industry that affects the economic joints of individuals, families, communities, regions, even the State<sup>6</sup>. Creative works produced through the sacrifice of thought, energy, time and even cost<sup>7</sup>.

If art performers who wish to have full rights to their work and use it following their wishes and receive legal protection must request registration

3 Eddy Damian, *Hukum Hak Cipta*, Alumni, Bandung, 2017

4 Mohamad Pandu Ristiyono and Ratna Nurhayati, Comparative Study of Implication for Implementing Copyright Law and Book Law in The Library Collection Service, *Yustisia Jurnal Hukum*, Volume 8 Number 2, 2019, page. 234–61

5 Sulthon Miladiyanto, Royalti Lagu/Musik Untuk Kepentingan Komersial Dalam Upaya Perlindungan Hak Cipta Lagu/Musik, *Rechtldée Jurnal Hukum*, Volume 10 Number 1, 2015, page. 1–17

6 Bernard Nainggolan, *Pemberdayaan Hukum Hak Cipta Dan Lembaga Manajemen Kolektif*, Alumni, Bandung, 2011

7 Oksidelfa Yanto, Konsep Perlindungan Hak Cipta Dalam Ranah Hukum Hak Kekayaan Intelektual (Studi Kritis Pembajakan Karya Cipta Musik Dalam Bentuk VCD Dan DVD), *Yustisia Jurnal Hukum*, Volume 4 Number 3, 2015, page. 746–60

of their work, application for registration is submitted to the Directorate General of Intellectual Property Ministry of Law and Human Rights to meet the existing requirements. The requirements that must be met are administrative and substantive as mandated in Articles 66, 67 and 68 of the Copyright Act.

The registration of song copyright is not a requirement for the creator to register it, but if the song composer designates his work is to obtain a more substantial legal certainty as proof that his work has been registered with the government, with the registration of the song's creation by the creator, it can be easily known who is the copyright holder of song<sup>8</sup>.

To achieve the above mentioned, in addition to the laws and regulations that have been made, there needs to be awareness for songwriters to record their creations in institutions that have the authority to protect the copyright of the songwriters.

The Directorate General of Intellectual Property under the auspices of the Ministry of Law and Human Rights of the Republic of Indonesia over time always continues to make breakthroughs to protect one's copyrights by conducting socialization and opening online registered so that songwriters want to record their works in the Regional Office of the Ministry of Law and Human Rights People of the Republic of Indonesia in each province.

The existence of piracy or copyright theft, it is because there are still songwriters who do not realize the importance of registration their works, one example of the song in 2018 there was a case of profiteering a song entitled "*Karna su Sayang*" by Immanuel Andra (Noer)<sup>9</sup>. This is because the songwriter does not register his work even though there has been socialization and open registration online by the Ministry of Law and Human Rights.

Therefore the problem arises why songwriters are less aware of the importance of registration their works even though they have been opened online, and also, the author feels as though there is a particular cause to what makes some songwriters not registered their works.

Related to the results of previous research conducted by Riko Sulung Raharjo, it states that "there is a form of legal protection against the creator of the registration of the same work, namely the abolition of the legal force of the registration of the work by the court, the creator has the right to compensation, and the author has the right to prosecute criminally. Based on the theory of legal protection, this provision is a form of protection provided by the Copyright Act"<sup>10</sup>.

8 Habi Kusno, Perlindungan Hukum Hak Cipta Terhadap Pencipta Lagu Yang Diunduh Melalui Internet, *FIAT JUSTISIA: Jurnal Ilmu Hukum*, Volume 10 Number 3, 2016, page. 489–502

9 Risa Amrikasari, *Penyelesaian Pelanggaran Hak Cipta Dalam Platform Digital Lintas Negara*, hukumonline.com, 2019, <https://www.hukumonline.com/klinik/detail/ulasan/lt5c32dc6def6d2/penyelesaian-pelanggaran-hak-cipta-dalam-platform-digital-lintas-negara>.

10 Riko Sulung Raharjo, M. Khoidin, and Ermanto Fahamsyah, Perlindungan Hukum Terhadap Pencipta Atas Pencatatan Suatu Ciptaan Yang Sama, *Lentera Hukum*, Volume 5 Number 3, 2018, page. 437–56

In addition, this article is at least different from the 3 (three) previous research articles that examined song/music copyright in Indonesia, in between article entitled "Protection of Song and/or Music Copyright Work (Cover Song) on Social Media Networks Associated with Economic Rights Based on Act No. 28 of 2014 concerning Copyright" By Ghaesany Fadhila and U. Sudjana, Discussing the use of song and/or cover songs on social media networks is not a violation of moral rights if it is not for commercial purposes and no changes are made to the work according to the provisions of Article 8 of Act No. 28 of 2014 concerning Rights Copyright, but is an act that violates economic rights if it is used for commercial activities without permission from the Creator or Copyright Holder as according to the provisions of Article 9 of Act No. 28 of 2014 concerning Copyright,<sup>11</sup> next article entitled "Legal Protection of Song Creators or Copyright Holders in Royalty Payments" By Ampuan Situmeang and Rita Kusmayanti. In it discusses legal protection for song creators or copyright holders against royalty payments and resolves objections if there is use of songs without royalty payments. The protection provided by the government for the copyright of the song provided also provides a royalty rate that must be agreed by the user,<sup>12</sup> while article entitled "Royalty on The Management of Copyright Songs and Music" By Edward James Sinaga. In it discusses very much needed an institution that can represent the songwriters and related rights holders to carry out licenses that can help bridge the collaboration between the creator or copyright holder with the user. However, the implementation of royalty management on the announcement of Cipta Karya and, or Music has not run smoothly. That implementation is because the legal awareness of the copyright user community is still lacking, and the maximum socialization carried out by the Collective Management Institute.<sup>13</sup>

Of the three studies, there is a difference with this research which is focused on the legal awareness of the creator relating to the registration of copyrighted works, especially regarding songs.

The purpose of this study is to find out and analyze the legal awareness of the creator to record the song's copyright and the factors that influence it in registering the song's copyright.

## B. RESEARCH METHODS

The method used in this research is normative juridical to analyze the legal problems contained in the legislation related to the problem under study with descriptive-analytical nature. The problem approach used is the statute approach and conceptual approach. According to Peter Mahmud

- 
- 11 Ghaesany Fadhila and U. Sudjana, *Perlindungan Karya Cipta Lagu Dan/Atau Musik Yang Dinyanyikan Ulang (Cover Song) Di Jejaring Media Sosial Dikaitkan Dengan Hak Ekonomi Berdasarkan Undang-Undang Nomor 28 Tahun 2014 Tentang Hak Cipta*, *Acta Diurnal: Jurnal Ilmu Hukum Kenotariatan*, Volume 1 Number 2, 2018, page. 222–35
  - 12 Ampuan Situmeang and Rita Kusmayanti, *Perlindungan Hukum Terhadap Pencipta Atau Pemegang Hak Cipta Lagu Dalam Pembayaran Royalti*, *Journal of Law and Policy Transformation*, Volume 5 Number 1, 2020, page. 155–76
  - 13 Edward James Sinaga, *Pengelolaan Royalti Atas Pengumuman Karya Cipta Lagu Dan/Atau Musik*, *Jurnal Ilmiah Kebijakan Hukum*, Volume 14 Number 3, 2020, page. 553–78

Marzuki, the legislative approach is carried out by examining all laws and regulations relating to legal issues<sup>14</sup>. The conceptual approach moves from the views and doctrines developed in the science of law to find ideas that give birth to legal concepts, legal understandings, and legal principles needed to complete research. Legal material analysis techniques are used to analyze how the use of legal materials that have been collected to be used in solving research problems, thus legal materials or results that have been collected or encountered by the author in this study, will then be analyzed using "Qualitative Analysis Methods". The legal materials that have been collected or encountered must be separated according to their respective categories and then interpreted in an effort to achieve answers to research problems. Then process and interpret legal materials in order to get conclusions from the problem, and explain the conclusions, which in this case are qualitative conclusions, namely conclusions set out in the form of statements and writings.<sup>15</sup>

## C. RESULT AND DISCUSSION

### 1. Legal Awareness of the Author to Register Song Copyright

Every work "song" created already has legal protection that is copyright protection, legal clarity of the relationship between the work of copyright with the creator or copyright holder, or the person who uses the work<sup>16</sup>. Have legal awareness to record the results of their work. Talking about the legal awareness of songwriters is inseparable from indicators of legal awareness. That indicator will later affect the legal awareness of the songwriter. Therefore, the theory of legal awareness from Soerjono Soekanto say that; legal awareness is abstract conceptions in humans, about harmony between order and the desired tranquility or appropriate. The composer of this song will later make effective the applicable law, so that to obtain results about the level of legal awareness of the songwriter in register his work can be done by knowing the value of each indicator.

A pluralistic society, such as Indonesian society consisting of various tribes, cultures, and religions, will certainly have a diverse legal culture. All of this will enrich the cultural treasury in addressing applicable laws, both within the community and influential nationally. We will try to see how the state, especially the people of Indonesia, view lawlessness and its consequences. Our country is a country of law, a country that upholds laws and regulations, many of our national and state life aspects are governed by laws and regulations. Of course, this is very useful considering that our country is a country that is diverse and varied, as is the case in Indonesia in general where the government always emphasizes that it means that our country. The legal state is

14 Peter Mahmud Marzuki, *Penelitian Hukum*, Kencana, Jakarta, 2007

15 Burhan Ashshofa, *Metode Penelitian Hukum*, Rineka Cipta, Jakarta, 2010

16 Duwi Aprianti, Implementasi Penarikan Royalti Bagi Pelaku Usaha Komersial Karaoke Berdasarkan Undang-Undang Nomor 28 Tahun 2014 Tentang Hak Cipta, *Jurnal Magister Hukum Udayana (Udayana Master Law Journal)*, Volume 6 Number 4, 2017, page. 489–96

obliged to obey the law in accordance with existing or applicable regulations in the country and area.

Imagine if there were no laws or regulations governing the diversity of cultures and customs of various tribes and races in Indonesia in general, our country would be divided by just a little difference. However, despite the many rules and laws that have been made, this does not make a person immediately become a person who obeys all laws just like that. Remember that in every human being, there is a sense of freedom and independence. Maybe, in the beginning, someone will always obey the rules that have been set. But as time went on, some people began to feel that the rules were too restrictive in the movements of their lives. So, slowly but surely, someone will start to break the small things and start disobeying the laws and regulations, this also applies to the songwriter.

Legal awareness is related to legal compliance, the thing that distinguishes it is that in legal compliance there is a fear of sanctions, in the context of legal awareness there are no sanctions therein, this is the formulation of the legal community regarding the assessment, which has been carried out scientifically, values contained in humans about existing laws or about laws that are expected to exist. According to Soerjono Soekanto, indicators of legal awareness are actually a relatively concrete indicator of the level of legal awareness.

Briefly explained again that:

- a. The first indicator is legal knowledge  
Someone knows that certain behaviors are regulated by law. The legal regulations referred to here are written and unwritten laws. The behavior concerns behavior that is prohibited by law or behavior that is permitted by law. This indicator has been known by songwriters about the existence of the Copyright Act, namely Act No. 28 of 2014.
- b. The second indicator is a legal understanding  
Songwriters have the knowledge and understanding of the rules that exist in Act No. 28 of 2014 concerning Copyright.
- c. The third indicator is the legal attitude  
Songwriters have a tendency to make certain judgments about the law itself, whether to be followed or not, and can judge whether it can benefit if followed or not.
- d. The fourth indicator is legal behavior  
That is where the songwriter has not fully complied with the regulations contained in Act No. 28 of 2014 concerning Copyright.

These four indicators also show at certain levels of legal awareness in their realization. If the song creator only knows the law, then it can be said that the level of legal awareness is still low, but has behaved in accordance with the law, then the legal awareness is high. Related to community legal awareness, there is a very close relationship between law enforcement, the community, supporting facilities, culture, and law.

A pluralistic society like ours, which consists of various tribes, cultures, and religions, will certainly have a diverse legal culture. All of

this will enrich the cultural treasury in addressing applicable laws, both within the community and influential nationally. Similar to local residents or songwriters, in this case, songs that have different cultures and customs from other regions so that they have different thoughts from other regions, while also adding to the repertoire of Indonesian culture.

Once the importance of the role of the legal culture so that legal awareness in its implementation will be more effective, the legal culture that gave birth to legal awareness needs deeper study and more directed guidance so that a safe, peaceful, and prosperous society is achieved. The people are still thick with their regional culture, therefore to further increase the legal awareness of songwriters, it can start from the cultural sector because it follows the customs even though it is contrary to the applicable laws and regulations.

In connection with the above, if applied to the level of legal awareness of songwriters in the registration of their works, it can be formulated that the legal awareness of songwriters can be measured by established indicators, including:

- a. Indicator of the legal knowledge of songwriters in the registration of their works,
- b. Understanding the law of songwriters in the registration of their works,
- c. The legal attitude of the song composer in the registration of his work,
- d. The pattern of legal behavior of songwriters in the registration of their works.

## **2. Factors that influence Legal Awareness for Creators to Register Song Copyright**

There are several factors that affect a person's legal awareness, namely:

- a. Knowledge of Legal Awareness  
The first factor influencing one's legal awareness is knowledge of legal awareness itself. Songwriters must have knowledge about legal awareness and regulations that apply in law.
- b. Recognition of Legal Provisions  
The factor influencing further legal awareness is the recognition of legal provisions; songwriters must know the legal provisions and their uses. That is, there are some songwriters who understand the regulations contained in the Act. However, this is not enough to make the songwriter recognize the provisions. Songwriters who should know more about the rules in the law have more potential to obey the law.
- c. Appreciation for Legal Provisions  
Appreciation or attitude towards legal provisions that is, to what extent an action or act that is prohibited by law is accepted by most members of the community. Songwriters may resist or may obey the law if their interests are guaranteed.

d. Arrangement of Legal Provisions

The factor influencing further legal awareness is the structuring of legal provisions. The regulation of the Copyright Act No. 28 of 2014 is to regulate all the interests of songwriters; this has been clearly described in this Act.

e. Community Obedience To Law

The next factor affecting legal awareness is obedience to the law. Thus all the interests of songwriters will depend on the provisions in the law itself.

Of the 5 (five) factors mentioned above, it is associated with legal awareness of registration copyright of songs as mandated in Act No. 28 of 2014 concerning Copyright, and the song creator knows about the importance of registration the song's copyrighted works to obtain legal protection even though the Law The Copyright Act contains a declarative system.

Protection of copyrighted works, if a work has come into being, is not an idea merely in the form of a form and is the result of the thought itself of the creator automatically has protection, to obtain legal protection, the author must make a register to the Directorate General of Intellectual Property in order to obtain a registration letter as proof of protection if there is a lawsuit<sup>17</sup>.

However, there are several factors that influence legal awareness, namely:

a. Economic and Cultural Factors

Song Creator, when viewed from economic factors, is a very big influence for them were because of this economic problem that makes them reluctant or unwilling to register their song's copyrighted works. They considered the registration fee to be quite large when compared to the price of one song they could sell. They prefer to sell their songs to producers rather than to register their songs. Most songwriters do not want to take the risk if the song they create is not selling in the market, they also need money to support their family so that the best way they take is to sell their song to the producer. As for some people from the songwriter who created the song according to the request of the producer or the person who bought the song. Because economic demands also make them better off selling their songs than registration the songs they created.

Culture is also one of the factors that have a major influence that causes the weak awareness of the songwriter's legal rights to register his works, and this is because the songwriter follows the habit of not registering the copyrighted work because of his predecessors also no registration the song's work. The song creators still have a pattern of behavior or thought that registration their copyrighted works is futile or does not have an economic advantage, because they still think that the song they created is only heard by

---

17 Kadek Julia Mahadewi, Budaya Hukum Dalam Keberlakuan Undang-Undang Nomor 28 Tahun 2014 Tentang Hak Cipta Pada Pengrajin Perak Di Bali, *Jurnal Magister Hukum Udayana (Udayana Master Law Journal)*, Volume 4 Number 2, 2015, page. 205–18



music lovers, besides, there are still thoughts if the song they created is not necessarily sold in the market, their habit is when their song sells in the market then they take notes.

b. Factors of Lack of Facilities or Facilities That Lack Support Law Enforcement

The point is the lack of attention from existing collective management institutions where songwriters feel that their aspirations have never been heard even though they have given power to collective management institutions, and also that collective management institutions do not collect songwriters as a whole where there are still many songwriters who are not yet registered in a member of a collective management agency.

In addition, songwriters think that there is no point in registration copyrighted works because, until now, there has been little or no claim on ownership of the songs they created, even if there were only family-related arrangements.

The Ministry of Law and Human Rights in the field of Intellectual Property often conducts socialization related to intellectual property at least once a year, but the registration of song works is rarely registered, the lack of attention from collective management institutions and also songwriters lacks legal awareness to register the song's copyright itself. The Ministry of Law and Human Rights in the field of Intellectual Property also provides protection since the song was first announced or published, but the protection is only morally not economically because the creator of the song has not registered either online or non-online. Usually, the song will be registered except for the song, and there are many enthusiasts in the market.

There are several factors that affect the legal awareness of songwriters to register their works in the Ministry of Law and Human Rights in the Field of Intellectual Property, namely:

a. Socialization and enforcement factors

The point of this factor is that the creator of the song thinks even though he often follows the socialization conducted by the Ministry of Law and Human Rights in the field of Intellectual Property considered in vain because if their song was hijacked or so on the Ministry of Law and Human Rights in the Field of Intellectual Property and parties the authorities do not take action against those who commit piracy and so on. This is indeed the case because the copyrighted work is a complaint of complaint where there must be a complaint first before the action can be taken, the complaint can be filed by the composer of the song or from the institution authorized to make the complaint. This is not understood by the song creator.

b. Registration Cost Factor

The purpose of this factor is that the songwriter feels the registration fee is relatively expensive because the registration fee is subject to one song, not an album. The registration fee is contained in Government Regulation Number 45 of 2014 concerning Types and

Rates of Non-Tax State Revenues Applicable to the Ministry of Law and Human Rights. Once there was a songwriter who wanted to register the song's copyright work in the Ministry of Law and Human Rights in the Field of Intellectual Property but did not register it because they felt that the Non-Tax State Revenue from the song was classified as expensive.

c. Factors of Community Obedience to Law

The purpose of this factor is that, according to him, when viewed from the Copyright Act No. 28 of 2014 it unravels firmly that the State guarantees the legal protection of the songwriter's copyrighted works if the song they create is registered at the Ministry of Law and Human Rights Intellectual Property. However, this was not responded well by the songwriter because, in the Copyright Act No. 28 of 2014, it was not explicitly explained what sanctions were received by the songwriter if their songwriting was not registered. This is what causes the legal awareness of songwriters to be classified as weak.

There are many ways to instill legal awareness for songwriters. True law can never happen if there is no awareness to obey it. However, there is one theory which says that law is not binding on the community except on the basis of legal awareness possessed by the community itself, that's why legal awareness becomes very important because in some literature about law and some readings that become references about law, legal awareness can also form the law itself. Of course, besides, he strengthens and utilizes the law to the full. In legal awareness, there needs to be a number of things emphasized so that legal awareness itself can act as it should.

- a. Legal awareness must be based on knowledge of what is the law. If the composer does not know what the law is, of course, he cannot carry out the law as it should. He must know that law is an important thing to follow because it protects against the lawless state.
- b. In addition to knowledge of the law, understanding the law is also important. When the songwriter only knows and does not fully understand, there will be a misunderstanding that results in the law not working as it should. Understanding the law becomes one thing that must be owned by the songwriter who runs the law. Understanding, in this case, means knowledge of each content in one article and also how the article was formed and how to implement the article.
- c. Accepting the law, even though the songwriter knows and understands the law, understands the legal obligations if they do not want to accept the law, then the legal awareness will not be realized, and the law will not be able to run as it should. Accepting the law is one definite rule that must be obeyed if the law is to run.

If you want to be examined from several points above about how legal awareness can work, then there are several things that need to be done to make that point work as it should and make legal awareness

emerge. Some of these points include:

a. Actions

This has become one of the main and first ways to instill the legal awareness of songwriters. It's just that action can be taken if there is piracy or theft of copyrighted works if there is a complaint. Therefore the institution, in this case, the collective management institution, must respond more to problems related to the songwriter's rights and can also collect all songwriters. In addition, the related institution must be the liaison between the songwriter and the song producer so that the benefits can be shared and maintain the authenticity of the songwriter.

b. Knowledge

Everything about the knowledge, understanding, legal awareness of the songwriter, and accepting the law, must be conveyed in an appropriate manner by parties who are competent in their fields. Knowledge of the economic advantages and disadvantages obtained must also be taught so that songwriters do not continuously think that the song they created does not or does not sell well in the market, prioritizing the benefits and advantages obtained when registration the song's copyrighted work, so as not to continue to be utilized by the producer songs by buying their creations.

c. Socialization

Socialization is also a form of introduction to the law. When someone knows about the law, the advantages and disadvantages they can receive if they don't or obey the rules, then they will be able to have an awareness of the law itself. This is what the Ministry of Law and Human Rights continues to do in the field of Intellectual Property.

Efforts to change the culture in society in general and songwriters, in particular, are actually very difficult, because of the existing culture. But the connection with the culture of the society that is very lacking in legal awareness may be caused because from the beginning, the composer of the song did not understand the importance of law for life, if there were no law, there would be even worse piracy/theft of the song.

To be able to increase the legal awareness of songwriters, maybe the government, in this case, the Ministry of Law and Human Rights in the Field of Intellectual Property Related institutions as creators and implementers can be more socialized with regard to the registration of the copyrighted work itself to the songwriter so that they can better understand the importance of registration.

So the effort to change the existing culture must begin with deeper and more targeted socialization of songwriters about the importance of registration copyrighted works, with more songwriters who understand the importance of registration copyrighted works, this culture will gradually change for the better, and the legal awareness of the songwriter will be further increased.

## **D. CONCLUSION**

The song creator knows of Act No. 28 of 2014 About Copyright and has also participated in socialization conducted by the Ministry of Law and Human Rights in the Field of Intellectual Property but is less aware of the existence of the socialization is important to be implemented, some of the songwriters assume there is no the point is to register their copyrighted works because they think that their songs have no market value. In addition, their aspirations have not been fully carried forward by the related institutions, which they shelter in this case, a collective management institution. Therefore songwriters decide to sell their song's copyrighted works rather than register them with the Ministry of Law and Human Rights in the Field of Intellectual Property.

## BIBLIOGRAPHY

### Books:

- Ashshofa, Burhan, 2010, *Metode Penelitian Hukum*, Rineka Cipta, Jakarta;
- Damian, Eddy, 2017, *Hukum Hak Cipta*, Alumni, Bandung;
- Marzuki, Peter Mahmud, 2007, *Penelitian Hukum*, Kencana, Jakarta;
- Nainggolan, Bernard, 2011, *Pemberdayaan Hukum Hak Cipta Dan Lembaga Manajemen Kolektif*, Alumni, Bandung;
- Saidin, OK, 2015, *Aspek Hukum Hak Kekayaan Intelektual*, Rajagrafindo Persada, Jakarta;

### Journals:

- Aprianti, Duwi, Implementasi Penarikan Royalti Bagi Pelaku Usaha Komersial Karaoke Berdasarkan Undang-Undang Nomor 28 Tahun 2014 Tentang Hak Cipta, *Jurnal Magister Hukum Udayana (Udayana Master Law Journal)*, Volume 6 Number 4, 2017;
- Fadhila, Ghaesany, and U. Sudjana, Perlindungan Karya Cipta Lagu Dan/Atau Musik Yang Dinyanyikan Ulang (Cover Song) Di Jejaring Media Sosial Dikaitkan Dengan Hak Ekonomi Berdasarkan Undang-Undang Nomor 28 Tahun 2014 Tentang Hak Cipta, *Acta Diurnal: Jurnal Ilmu Hukum Kenotariatan*, Volume 1 Number 2, 2018;
- Kusno, Habi, Perlindungan Hukum Hak Cipta Terhadap Pencipta Lagu Yang Diunduh Melalui Internet, *FIAT JUSTISIA: Jurnal Ilmu Hukum*, Volume 10 Number 3, 2016;
- Labetubun, Muchtar Anshary Hamid, Aspek Hukum Hak Cipta Terhadap Buku Elektronik (E-Book) Sebagai Karya Kekayaan Intelektual, *SASI*, Volume 24 Number 2, 2018;
- Mahadewi, Kadek Julia, Budaya Hukum Dalam Keberlakuan Undang-Undang Nomor 28 Tahun 2014 Tentang Hak Cipta Pada Pengrajin Perak Di Bali. *Jurnal Magister Hukum Udayana (Udayana Master Law Journal)*, Volume 4 Number 2, 2015;

- Miladiyanto, Sulthon, Royalti Lagu/Musik Untuk Kepentingan Komersial Dalam Upaya Perlindungan Hak Cipta Lagu/Musik, *RechtIdee Jurnal Hukum*, Volume 10 Number 1, 2015;
- Raharjo, Riko Sulung, M. Khoidin, and Ermanto Fahamsyah, Perlindungan Hukum Terhadap Pencipta Atas Pencatatan Suatu Ciptaan Yang Sama, *Lentera Hukum*, Volume 5 Number 3, 2018;
- Ristiyono, Mohamad Pandu, and Ratna Nurhayati, Comparative Study of Implication for Implementing Copyright Law and Book Law in The Library Collection Service, *Yustisia Jurnal Hukum*, Volume 8 Number 2, 2019;
- Sinaga, Edward James, Pengelolaan Royalti Atas Pengumuman Karya Cipta Lagu Dan/Atau Musik, *Jurnal Ilmiah Kebijakan Hukum*, Volume 14 Number 3, 2020;
- Situmeang, Ampuan, and Rita Kusmayanti, Perlindungan Hukum Terhadap Pencipta Atau Pemegang Hak Cipta Lagu Dalam Pembayaran Royalti, *Journal of Law and Policy Transformation*, Volume 5 Volume 1, 2020;
- Yanto, Oksidelfa, Konsep Perlindungan Hak Cipta Dalam Ranah Hukum Hak Kekayaan Intelektual (Studi Kritis Pembajakan Karya Cipta Musik Dalam Bentuk VCD Dan DVD), *Yustisia Jurnal Hukum*, Volume 4 Number 3, 2015;

**Internet:**

- Amrikasari, Risa, *Penyelesaian Pelanggaran Hak Cipta Dalam Platform Digital Lintas Negara*, hukumonline.com, 2019.  
<https://www.hukumonline.com/klinik/detail/ulasan/lt5c32dc6def6d2/penyelesaian-pelanggaran-hak-cipta-dalam-platform-digital-lintas-negara>.